



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2008-1069-WCA

Issue Date: **October 22, 2008**

Expiration Date: **November 20, 2008**

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Palisades Interstate Park Commission
Administration Building
Alpine Approach Road
P.O. Box 155
Alpine, New Jersey 07620

ACTIVITY: Dredge with ten years maintenance the existing Englewood Boat Basin with upland disposal and return flow to the waterway.

WATERWAY: Hudson River

LOCATION: City of Englewood, Bergen County, New Jersey.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

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Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions or proposed actions, that are either permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Based upon a review of the "Guide to Essential Fish Habitat Designations in the Northeastern United States," issued by the National Oceanic and Atmospheric Administration/National Marine Fisheries Service, the EFH for several aquatic species and their life stages in the proposed project area could potentially be impacted by the proposed work. Further consultation with National Marine Fisheries Service regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to a final decision on the application.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

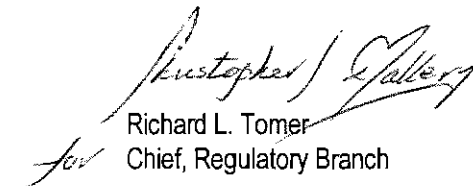
Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New Jersey the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Bureau of Coastal Regulation, CN 401, 501 East State Street, Second Floor, Trenton, New Jersey 08625-0401, Telephone Number (609) 633-2289. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed. In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

A New Jersey Department of Environmental Protection Agency Waterfront Development Permit.

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8412 and ask for James Cannon.

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For more information on New York District Corps of Engineers programs, visit our website at
<http://www.nan.usace.army.mil>



Christopher J. Gallery
for Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, the Palisades Interstate Park Commission, has requested Department of the Army authorization to dredge, with ten years maintenance, their existing 118 slip Englewood Boat Basin along the Hudson River in the City of Englewood, Bergen County, New Jersey. Using a hydraulic dredge, the applicant proposes to dredge annually approximately 550 cubic yards of sediment from the 1,100 foot long by 200 foot wide basin within the marina facility. The marina basin would be dredged to a maximum depth of -5 feet below the plane of Mean Low Water. The dredged sediments would be removed and pumped to an on-site contained upland disposal impoundment. Excess water would flow into a dewatering bag to remove sediments and then drain back into the river. Dried sediments would be removed and disposed of at an approved upland site. A portion of the dried sediments may be used to reinforce the existing earthen berm situated around the contained upland disposal impoundment. The Englewood Boat Basin was previously authorized to dredge with ten (10) year maintenance under Department of the Army Permit Number 1998-02280.

The purposed project would reestablish adequate water depths within the boat basin and provide safe navigation to vessels entering and exiting the marina.

PALISADES INTERSTATE PARK COMMISSION

P.O. Box 155 Alpine, New Jersey 07620

Tel: 201-768-1360 Fax: 201-767-3842

Project: Dredge Permit Renewal - Location Plan

Date: 10/23/07

Sheet: 2 of 2

Location: Englewood Boat Basin

Scale: 1"=2000 ft.

Drwn: CBS



PALISADES INTERSTATE PARK COMMISSION

P.O. Box 155 Alpine, New Jersey 07620

Tel: 201-768-1360 Fax: 201-767-3842

Project: Maintenance Dredging Permit Renewal

Date: 2/13/08

Sheet: 1 of 1

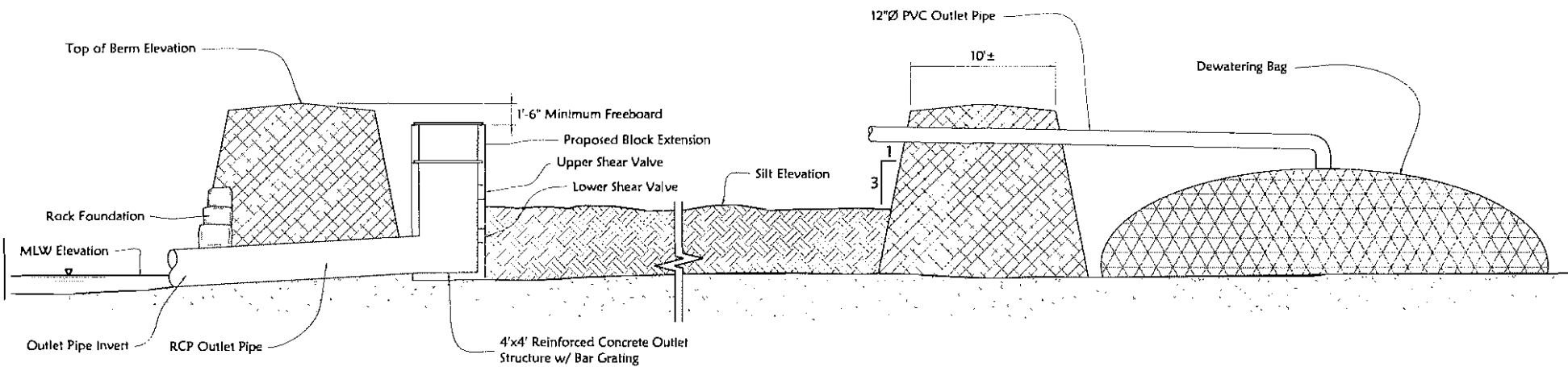
Location: Alpine and Englewood Boat Basins

Scale: As Shown

Drawn: CBS

Notes:

1. See summary report for CDF dimensions and elevation information.



Section Through CDF

Scale: $\frac{3}{32}'' = 1 \text{ FT.}$